

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

TOMAS BANDA BANDA, *individually and on
behalf of all others similarly situated*,

Plaintiff,

-against-

CHOICE FARM FRUIT & VEGETABLES
(D/B/A CHOICE FARM INC.), WOO HYUNG
LEE, YUN KWON PARK, and JANE DOE LEE,

Defendants.

Civil Action Number
1:18-cv-4656- SJB

STIPULATION AND [*PROPOSED*] ORDER OF DISMISSAL WITH PREJUDICE

The parties in the above-captioned action, through their undersigned counsel, stipulate and agree as follows:

1. No party hereto is an infant or incompetent person for whom a committee has been appointed and no non-party has an interest in the subject matter of the action.
2. The Joint Stipulation of Settlement and Release is fair and reasonable, and adequate to redress Plaintiff's claims in this action.
3. In accordance with Rule 41 of the Federal Rules of Civil Procedure and Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), this action is dismissed with prejudice in its entirety.

4. This Stipulation may be executed in counterparts and facsimile or electronic copies of signatures shall be deemed originals for all purposes.

Dated: December 23, 2019
New York, New York

Michael Faillace & Associates, P.C.

/s/ Joshua S. Androphy

By: Joshua Androphy, Esq.

Attorneys for Plaintiff

Tomas Banda Banda

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Dated: December 23, 2019
Bayside, New York

Law Offices of T. Stephen Song, P.C

/s/ Farzad Ramin

By: Farzad Ramin, Esq.

*Attorneys for Defendants Woo Hyung Lee
and Choice Farm Inc.*

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SO ORDERED THIS ____ DAY OF _____, 2019

Hon. Sanket L. Bulsara
United States Magistrate Judge